

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN MANUFACTURERS MUTUAL
INSURANCE COMPANY,

Plaintiff,

vs.

TOWN OF NORTH BROOKFIELD,

Defendant.

Civil Action No. 03-40266 CBS

PROTECTIVE ORDER

This matter having come before the Court on Plaintiffs' Motion for Protective Order, pursuant to Fed. R. Civ. P. 26(c)(7), it is hereby ORDERED that the Town of North Brookfield (the "Town"), or any other future party, is forbidden from discovering the runoff plan and other confidential financial information submitted by the Plaintiff, American Manufacturers Mutual Insurance Company ("AMMIC"), to the Illinois Department of Insurance ("DOI").

This Protective Order shall apply to the discovery activities of the Town (or any additional parties that may join) including, but not limited to, any officers, directors, employees, committees, elected officials, agents, independent contractors, expert witnesses, and counsel thereof.

This Order shall govern all methods of discovery activity, including, but not limited to, deposition questioning and all written discovery, either previously served or propounded in the future, of any party, witness, person, corporation, government, municipality, or other entity.

A party may challenge any invocation of this Order by AMMIC. Any challenge regarding deposition questioning must be made on the record in the deposition or it is waived. The parties shall not agree to reserve any opportunity to challenge outside of the deposition. Any challenge regarding a written discovery request made at or after issuance of this Order must

be made in writing to AMMIC within seven (7) days of the assertion. No challenges may be made regarding a written discovery request propounded prior to this Order. In the event that the parties cannot resolve their dispute, the party challenging AMMIC's invocation of this Order may move for relief but shall bear the burden to demonstrate that the Order does not apply with regard to the information sought.

Dated: _____

Charles B. Swartwood
United States Magistrate Judge

2788937_v1